



State of Wisconsin GOVERNOR'S STATE TRAILS COUNCIL

Meeting Minutes

FINAL - as of 10/29/10

Friday, August 6, 2010

Upper Pavilion Shelter, High Cliff State Park

10:00 a.m. – 3:00 p.m.

State Trails Council Members Present: Randy Harden, Tom Huber, Jim Joque, Skip Maletzke, Mike McFadzen, Dave Phillips, Tom Thornton, Robbie Webber

State Trails Council Members Not In Attendance: Ken Carpenter

WI DNR Staff Present: Peter Biermeier, Brigit Brown, Andy Janicki, Tim Parsons, Joseph Warren

Others Present: Alex Bub, Matt Halada, Doug Johnson, Bryan Much, Jesse Thompson, Sam Vandenberg

10:00 A.M. – Agenda review/repair and approval of April meeting minutes

- Harden called the meeting to order. Repair of minutes. Huber stated the Surface Transportation Program-Discretionary funding is included in the Bicycle and Pedestrian Facilities Program. Motion for approval of the April 22, 2010 meeting minutes, as adjusted, by McFadzen. Seconded by Thornton. Minutes approved.

10:10 A.M. – Chair Report

- When Senator Holperin, Harden and McFadzen met earlier this year, Senator Holperin suggested the STC wait until a new Governor is in office to introduce changes in the STC structure such as increasing membership from 9 to 11. Harden stated the STC is the only council that combines and represents all user groups, combining non-motorized, mechanized and motorized members.

10:15 A.M. – State Trails Council Member Reports

- *Department of Transportation.* The new Complete Streets law to make all roads accessible to bikes and pedestrians was drafted and finalized for 2010. There are five exceptions where roads do not have to accommodate bikes and pedestrians, but on any new or reconstructed roadway, the law is required. Matt Halada, DOT Bicycle and Pedestrian Coordinator for the Northeast Region, updated the STC on some projects the DOT has worked on with the DNR and the counties in the region, including the Fox River Trail, Friendship Trestle, Wiouwash and Wild Goose Trail extensions, Old Plank Road Trail, and others.
- *Users with Disabilities.* Joque passed out a list of all trails on the DNR accessible trails web page. Joque and Brown are reviewing the permit for the use of trails by non-hunting, disabled persons. Some changes to the Americans with Disabilities Act dealt with final regulations on standards for mobility devices other than just wheelchairs. Other power driven mobility devices (OPDMDs) have to be allowed on trails that are open to pedestrian use, but Segways can still be regulated. Joque stated that Minnesota has a good website for state trails with definitions on disability and applicable equipment, something that Wisconsin could emulate. Joque handed out a printout from the Minnesota DNR titled, "Review of the Use of Motorized Devices on State Trails by Individuals with Disabilities", January 15, 2004.



State of Wisconsin GOVERNOR'S STATE TRAILS COUNCIL

- *Off-Highway Vehicles.* ATV sales are still down. Travel for tourism is down as well, but is still healthy. Twenty counties have adopted the new UTV pilot program, and others are considering it. There are more than 1000 UTVs registered, and there will be a plan to distribute the registration funds collected. WOHMA and WOHVA are still talking to legislators about creating their own registration programs. Signing trails that allow UTV use falls under the ATV statute and there may be some ATV funding available for signing.
- *Tourism/Business.* Since the UTV program has been adopted, there has been an increase in an older demographic using side-by-sides UTVs on the trails. Tourism has been spotty in the summer, with people waiting longer to make reservations and vacation plans. There seems to be an increase in hikers, bikers, and equestrians on the Nicolet State Trail. The Wisconsin Hotel and Lodging Association will be doing a 1-minute survey on the impact trails have on lodging. The survey is going to over 1000 lodging facilities and will come out in late September. The survey will be published in the industry's magazine.
- *Snowmobiling.* Snowmobiling numbers have stayed relatively high, but there were 21 fatalities during the 2009/2010 season with 15 alcohol-related. The bill to link intoxicated operation of a snowmobile to an operator's driver's license did not make it out of committee, but will be brought up again next year. Harden forwarded the OWI Letter drafted by the STC to a Fond du Lac reporter who was doing an article on the bill. Manufacturers continue to build sleds with more horsepower, but there is the 55 m.p.h. speed limit on Wisconsin's trails. The court case between Johnson and Bayfield County is back in the Court of Appeals.
- *Hiking/Walking.* Phillips stated England has a Right to Roam Law that allows walking and hiking any place in England that has a traditional walking path, as long as one person walks that path in a year. The paths go across farms and pastures and are well-marked with plenty of lodging along the routes. Phillips stated he would like to see the United States have something similar to this law.
- *Cross-Country Skiing.* Cross-country skiing has had three very good seasons in a row. Youth skiing is following a school-based model, and is seeing more participation. The Telemark Lodge that hosts the American Birkebeiner has some financial issues it is trying to resolve to continue to host the event. Last season's Birkebeiner had the biggest crowd ever, and shelters are looking to be built for each aid station. Andy Janicki stated that next year there will be a pair of sit skis for disabled users at five different state parks.
- *Bicycling.* Webber has been working on a project for a U.S. interstate bike route system through Wisconsin. Most of the proposed routes follow the current state rail trails. There could potentially be five routes through Wisconsin. The high speed rail that is connecting Madison and Milwaukee is considering having a way for bikers to roll on and off the trains. Even though Chicago lost the Olympics, Wisconsin tourism is seeing a lot of interest and press for bicycling. In August, an 80-mile bike race, The Unnamed Epic, is planned for southwest Wisconsin, a Centurian Ride is planned in Middleton, and Lance Armstrong will be in Madison for the second "Ride the Drive" event of 2010.

11:00 A.M. – Report on Recommendations for Improving the Structure of the State Trails Council

- The Council reviewed and discussed the drafts for the STC statute revision, STC membership application, position description, and the proposed application process.
- *Preliminary Draft - An Act to amend 15.347 (16) of the statutes; relating to membership on the State Trails Council.* The draft of the language reads, "There is created in the department of



State of Wisconsin GOVERNOR'S STATE TRAILS COUNCIL

natural resources a state trails council consisting of 11 members, appointed for 4-year terms, who engage in one or more of the various recreational uses of the trails.”

- Webber stated the language should also include members who are “knowledgeable” in addition to “engage” in line 6. Phillips also asked for a grammar correction to remove the modifier “the” line 7. Motion to accept lines 1-5, and 6 and 7 of the preliminary draft, as adjusted, by Joque. Seconded by Phillips. Motion passed.
- Phillips asked if language should be added to include non-voting members. Harden stated the addition could strengthen the case for more applicants. Motion to add a sentence to include representatives or designees (non-voting members as identified in the Ad Hoc Committee Report) on the State Trails Council for the Department of Transportation, the Department of Tourism, and an Accessibility Coordinator, by McFadzen. Seconded by Huber. Motion passed. Language for this additional sentence will need to be drafted.
- Motion to accept Section 2 (Nonstatutory provisions) of the Preliminary Draft by Maletzke. Seconded by Thornton. Motion passed.

- *State Trails Council Position Description.* The Position Description will be modified to match what language is in state statute for the STC. The position description currently lists the composition of the council as being 9 voting members with non-voting members as needed. Phillips asked for a minor grammar correction in the Qualifications section, from “which they participate in” to “in which they participate”. Motion to accept the STC Position Description, as adjusted, by Maletzke. Seconded by Thornton. Motion passed. If the state statute changes, the position description will be updated.

- *State Trails Council Application Process.* Harden stated that appointments to the Council are at the discretion of the Governor. The STC can use the application process to make recommendations to the Governor for voting members, but the Governor may appoint a voting member to the Council before the process is complete, or may choose to ignore the process once it is complete.
- The STC can recommend the non-voting members to the Council. McFadzen asked if the DNR Secretary would appoint non-voting members to the council. Brown stated the Secretary could also delegate the selection. Webber asked to add “gender” to the Application Process that states “Membership subcommittee considerations while reviewing applications: Diversity (geographic, ethnic, race)”. Motion to accept the Application Process, as adjusted, by Joque. Seconded by Phillips. Motion passed.

- *State Trails Council Application.* The STC needed to determine the members for an 11-member council. The Ad Hoc Committee recommended the addition of an off-road bicycle representative, off-highway motorcycle representative, 4-wheel drive vehicle representative and in-line skating representative. There was question about if the in-line skating representative was appropriate. Phillips stated trail users who use nature trails and trails for wildlife viewing are one of the largest user groups in Wisconsin and are underrepresented. Thornton stated this user group would be



State of Wisconsin **GOVERNOR'S STATE TRAILS COUNCIL**

represented on the new non-motorized trails council. Bryan Much, who worked on the Ad Hoc Committee, stated the Committee chose three representatives from the Non-Motorized / Mechanized category to achieve a fair balance in membership. Brown reminded the Council that they formally voted on this category structure last October.

- McFadzen stated the Committee did agree on the three-sphere model, and this group is one of the largest groups of trail users. The Ad Hoc Committee also recommended a process where the STC would conduct a biennial review of the trail use categories and major trail uses; to ensure appropriate representation and to identify what user groups the STC wants represented by a new or replacement appointee to the Council.
- Brown asked if the trail use category should be broader to include other devices similar to in-line skates. Motion to change the "In-line Skates" position to a "Boards and Small Wheels" position and accept the Application, as adjusted, by Joque. Seconded by Maletzke. Motion passed 7-1, opposed by Phillips.

1:00 P.M. – Recreational Trails Program (RTP) Update

- Tim Parsons, DNR Financial Assistance Specialist and RTP Grant Manager updated the council on the current funding situation and the projects receiving RTP funding for 2010. Parsons passed out a memo and project summary.
- The \$30,000 per project cap the STC approved in 2009 helped to provide some funding to many projects. McFadzen asked if the cap should be increased, and if some projects are getting funded that may not be good projects. Parsons stated a project may be rejected if the ranking is too low and does not meet the eligibility requirement. Parsons stated that the DNR's responsibility is to mix and match recommendations for projects. For projects that are well above the \$30,000 limit, like a million dollar trail paving project, other funding sources such as Transportation Enhancements may be available.
- Parsons asked the Council what it would like to do with remaining money from this year's grants. Thornton stated if there were some projects that were not fully funded before the cap, to give them the extra money. Parsons stated the grants can be amended as long as too much time has not passed. The money can also be rolled over into the next RTP funding cycle. Huber asked if the STC could receive updates on the projects that have received funding to see how the cap is working. Motion to stay at the \$30,000 project cap by Phillips. Seconded by Thornton. Motion passed.

2:00 P.M. – DNR Report

- The Badger State Trail is nearing completion and will be finished this fall. The Hank Aaron State Trail will be extended to West Allis where it will connect to Milwaukee's Oak Leaf Trail System. The Stower Seven Lakes State Trail is also surfaced and open for use.
- The Bureau of Parks and Recreation will be restructuring how the Bureau handles policy, budgets and communication with the field. The DNR has asked all divisions to look at ways to save money and this change will give the Parks Bureau Director direct line authority, and improve communication with the field. The Bureau will be managed as four districts, with four district managers reporting directly to the Bureau Director.
- Master Plans in progress include Point Beach, Copper Falls, Capital Springs, the Cross Plains Ice Age Reserve, and High Cliff State Park. High Cliff State Park is one of the busiest parks, and the



State of Wisconsin **GOVERNOR'S STATE TRAILS COUNCIL**

master plan will look at potentially expanding the property, adding more camping, and developing a bike connection from the park south to the Calumet County Park on Lake Winnebago.

- Some of the new Federal Regulations based on the Clean Water Act and the Clean Air Act have created some issues for states dealing with trail projects. One of the issues is floodplains. Not all floodplains are mapped, and a floodplain analysis is sometimes needed before bridges or other structures can be built. Any land-disturbing activity must be reviewed for permits and permission because it can cause runoff into watersheds. At this time, there is no existing flexibility to make accommodations with these laws for trail projects. Every state is dealing with the same issues internally. The DNR will continue to work on these issues in order to comply with and implement the Federal regulations.
- Applications are being accepted for the Nonmotorized Recreation and Transportation Trails Council (NRTTC). The application and information about the council are available on the website. The deadline for applications is August 31. A list of applicants will be given to the Governor's office. The act that created the council does not specify a specific number of members. The number of meetings and members will depend on the funding for and structure of the council.

2:30 P.M. – Other Business

- Huber will be taking nominations for STC officer positions for 2011. Phillips will help on a nominations committee. The council may discuss having officer positions as two-year appointments.

2:40 P.M. – Public Comment

- Doug Johnson, Association of Wisconsin Snowmobile Clubs President, stated that Wisconsin will be hosting the International Snowmobile Congress in June 2013 in Green Bay. The event will be a 3-day meeting of snowmobile administrators, American and International associations, and tourism and media councils.

3:00 P.M. – Adjourn

- Motion to adjourn by Thornton. Seconded by Phillips. Meeting adjourned.